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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GLENYS CASADO,

Plaintiff,

v.

PRADIP JOSHI, DPM, and  
BRONX LEBANON HOSPITAL,

Defendants.

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**NOTICE OF MOTION**

08 Civ. 7095 (JGK)

PLEASE TAKE NOTICE, that upon the complaint, the declaration of Jeffrey S. Davis, the declaration of Susan D. Baird, and the memorandum of law of the Ambulatory Care Network of Bronx Lebanon Hospital, the Ambulatory Care Network of Bronx Lebanon Hospital, by its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court before the Honorable John G. Koeltl, United States District Judge, on a date determined by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on submission, for an order substituting the United States for the Ambulatory Care Network of Bronx Lebanon Hospital, and dismissing the complaint against the United States pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, and for such other and further

relief as the Court deems just and proper.

Dated: New York, New York  
August 15, 2008

MICHAEL J. GARCIA  
United States Attorney for the  
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Attorney for Ambulatory Care Network of  
Bronx Lebanon Hospital and the United States

By:                     /s                      
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